



JONATHAN E. FIELDING, M.D., M.P.H.  
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.  
Chief Deputy Director

313 North Figueroa Street, Room 806  
Los Angeles, California 90012  
TEL (213) 240-8117 · FAX (213) 975-1273

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)



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June 11, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

60 June 11, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**MANAGERIAL AND ADMINISTRATIVE LEADERSHIP  
FOR THE DEPARTMENT OF PUBLIC HEALTH –  
PUBLIC HEALTH LABORATORY  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

### SUBJECT

Request approval for the immediate return of retiree Mary Beth Duke as a Clinical Laboratory Scientist Assistant Administrative Supervisor to provide training and transitional support to her successor, the new Acting Manager of the Public Health Laboratory.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that special circumstances exist under Los Angeles County Code section 2.180.010 that justify the County to contract with Ms. Duke.
2. Find that, as a result of Ms. Duke's retirement on March 30, 2013, it is critically necessary for the new Acting Laboratory Manager to be thoroughly trained and that Ms. Duke is uniquely qualified to perform the training role to assure the continuation of administrative capability needed to detect, control, and prevent communicable diseases within the County.
3. Approve the request of the Director of the Department of Public Health (DPH) to allow Ms. Duke to return as a Clinical Laboratory Scientist Assistant Administrative Supervisor, effective date of Board approval, at the rate of \$48.00 per hour for up to 960 total hours of work in a fiscal year, which is consistent with her final salary level, pending the completion of training her successor.

4. Instruct the Director of Personnel to prepare and execute the appropriate agreement with Ms. Duke for DPH.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Los Angeles County (County) Public Health Laboratory (PHL) is the second largest public health laboratory in the nation and provides high-complex testing services to detect, control, and prevent communicable diseases. The PHL is a critical component of the County's infrastructure as it performs testing for multiple DPH Programs, other County departments, and partnering agencies and functions as a reference laboratory for emergency preparedness activities in the Centers for Disease Control and Prevention's Laboratory Response Network. With the retirement of Ms. Mary Beth Duke on March 30, 2013, the PHL reduced its administrative and managerial oversight of essential laboratory operations and processes that support testing for over 4,000 different diseases.

Ms. Duke has more than 40 years of experience at the PHL, serving as Laboratory Manager for 10 years, and having previously served as Acting Laboratory Director. The Laboratory Manager is responsible for oversight of a large number of administrative functions in multiple areas of operational controls. Ms. Duke's expertise is critically needed to train and transition the new Acting Laboratory Manager as no other staff person has the same breadth of experience, knowledge, or skill set to perform this role. Ms. Duke's assistance is also needed to complete critical assignments and prepare the PHL for its upcoming Clinical Laboratory Improvement Amendments (CLIA) inspection, occurring within the next few months, to maintain certification from the Centers for Medicare and Medicaid Services.

The PHL has a very limited number of administrative personnel and its ability to maintain operational effectiveness will be severely impacted without Ms. Duke's prompt return as a retiree. Additionally, the current PHL Director has announced plans to resign in June 2013. During this time of transition, Ms. Duke is uniquely qualified to provide the administrative and federally-required technical leadership to support the future Acting Laboratory Director and assist with the recruitment and transitioning of a permanent Laboratory Director. Ms. Duke's timely return as a retiree will serve to ensure continuity of laboratory operations that must be maintained under federal licensure requirements and State mandates.

The recommended actions are consistent with the Los Angeles County Code section 2.180.010 and California Public Health Employees' Pension Reform Act of 2013, which allows a person who retires from the County to serve without reinstatement from retirement or loss or interruption of benefits provided by the retirement system before a period of 180 days following the date of retirement, as long as your Board certifies the position is critically needed and the retired person has the skills needed to perform work of a limited duration.

#### **Implementation of Strategic Plan Goals**

The recommended actions support Goal 1, Operational Effectiveness, of the County's Strategic Plan.

#### **FISCAL IMPACT/FINANCING**

The cost of the recommended actions will be absorbed within DPH's existing budget.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The recommended actions are in conformance with the California Public Employees' Pension Reform Act of 2013.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Implementation of these recommendations will ensure that the PHL has the administrative capability to effectively and efficiently provide needed services to detect, control, and prevent communicable diseases within the County.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jonathan E. Fielding". The signature is written in a cursive, flowing style.

JONATHAN E. FIELDING, M.D., M.P.H.

Director and Health Officer

JEF:ev

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Human Resources  
LACERA